

1:20-CV-07318

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISIONNathan McCue

Plaintiff(s),

vs.

Officer Jeffrey Johnson,
City of Yorkville Kendall County
unknown officers, unknown
paramedics
Defendant(s).

Case No.

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AJS

12/10/2020

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURTCOMPLAINT FOR VIOLATION OF CONSTITUTIONAL RIGHTS

This form complaint is designed to help you, as a pro se plaintiff, state your case in a clear manner. Please read the directions and the numbered paragraphs carefully. Some paragraphs may not apply to you. You may cross out paragraphs that do not apply to you. All references to "plaintiff" and "defendant" are stated in the singular but will apply to more than one plaintiff or defendant if that is the nature of the case.

1. This is a claim for violation of plaintiff's civil rights as protected by the Constitution and laws of the United States under 42 U.S.C. §§ 1983, 1985, and 1986.
2. The court has jurisdiction under 28 U.S.C. §§ 1343 and 1367.
3. Plaintiff's full name is Nathan Matthew McCue Edwards.

If there are additional plaintiffs, fill in the above information as to the first-named plaintiff and complete the information for each additional plaintiff on an extra sheet.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

4. Defendant, Jeffrey Johnson, is
(name, badge number if known)
- ☒ an officer or official employed by Yorkville Police Department;
(department or agency of government)
- _____ or
- ☐ an individual not employed by a governmental entity.

If there are additional defendants, fill in the above information as to the first-named defendant and complete the information for each additional defendant on an extra sheet.

5. The municipality, township or county under whose authority defendant officer or official acted is Kendall County. As to plaintiff's federal constitutional claims, the municipality, township or county is a defendant only if custom or policy allegations are made at paragraph 7 below.
6. On or about 12/10/2018, at approximately 630 ☐ a.m. ☒ p.m.
(month, day, year)
- plaintiff was present in the municipality (or unincorporated area) of _____
Yorkville, in the County of Kendall,
State of Illinois, at 226 B. Hillcrest Ave,
(identify location as precisely as possible)

when defendant violated plaintiff's civil rights as follows (*Place X in each box that applies*):

- ☐ arrested or seized plaintiff without probable cause to believe that plaintiff had committed, was committing or was about to commit a crime;
- ☐ searched plaintiff or his property without a warrant and without reasonable cause;
- ☒ used excessive force upon plaintiff;
- ☒ failed to intervene to protect plaintiff from violation of plaintiff's civil rights by one or more other defendants;
- ☐ failed to provide plaintiff with needed medical care;
- ☐ conspired together to violate one or more of plaintiff's civil rights;
- ☒ Other:
Abuse of power, Americans with Disabilities Act, Mental Health and Development Disabilities Code.

7. Defendant officer or official acted pursuant to a custom or policy of defendant municipality, county or township, which custom or policy is the following: *(Leave blank if no custom or policy is alleged):* Officer Conduct guidelines
policy, absence of crisis intervention training,
failed to perform a mental health evaluation.

8. Plaintiff was charged with one or more crimes, specifically:

9. *(Place an X in the box that applies. If none applies, you may describe the criminal proceedings under "Other")* The criminal proceedings

- ☐ are still pending.
- ☐ were terminated in favor of plaintiff in a manner indicating plaintiff was innocent.¹
- ☐ Plaintiff was found guilty of one or more charges because defendant deprived me of a fair trial as follows _____
- ☐ Other: _____

¹Examples of termination in favor of the plaintiff in a manner indicating plaintiff was innocent may include a judgment of not guilty, reversal of a conviction on direct appeal, expungement of the conviction, a voluntary dismissal (SOL) by the prosecutor, or a *nolle prosequi* order.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

10. Plaintiff further alleges as follows: *(Describe what happened that you believe supports your claims. To the extent possible, be specific as to your own actions and the actions of each defendant.)*

I Nathan McCue was walking to my cousins car when out of nowhere, I was taken to the ground from behind by Jeffrey Johnson and other unknown officers; where I then hit the ground, concrete and could not move. The officers said they were there to take me to the FBI and identified as such. I was told I had to be checked out when ambulance showed up before going to FBI. I recognized they were not FBI and was terrified I was being kidnapped. I was never told why they were taking me away until almost at hospital. Officer Johnson refused to loosen my handcuffs in ambulance said I was a prick. In Ambulance I was verbally abused & mentally

11. Defendant acted knowingly, intentionally, willfully and maliciously. *No Mental Health check just tackled*

12. As a result of defendant's conduct, plaintiff was injured as follows:

Hair was pulled, laceration on arm, ribs were hurt and head, when taken to ground from behind. Emotional injuries, loss of liberty, PTSD, fear of authority.

13. Plaintiff asks that the case be tried by a jury. ☒ Yes ☐ No

14. Plaintiff also claims violation of rights that may be protected by the laws of Illinois, such as false arrest, assault, battery, false imprisonment, malicious prosecution, conspiracy, and/or any other claim that may be supported by the allegations of this complaint.

WHEREFORE, plaintiff asks for the following relief:

- A. Damages to compensate for all bodily harm, emotional harm, pain and suffering, loss of income, loss of enjoyment of life, property damage and any other injuries inflicted by defendant;
- B. ☐ (Place X in box if you are seeking punitive damages.) Punitive damages against the individual defendant; and
- C. Such injunctive, declaratory, or other relief as may be appropriate, including attorney's fees and reasonable expenses as authorized by 42 U.S.C. § 1988.

Plaintiff's signature: Nathan McCue

Plaintiff's name (print clearly or type): Nathan McCue

Plaintiff's mailing address: 1197 Lady Bird Drive

City Somonauk State IL ZIP 60552

Plaintiff's telephone number: (630) 405-3119 or 630-270-0481

Plaintiff's email address (if you prefer to be contacted by email): nnpowersnn009@gmail.com
or babymckayla121409@gmail.com

15. Plaintiff has previously filed a case in this district. ☐ Yes ☒ No

If yes, please list the cases below.

Any additional plaintiffs must sign the complaint and provide the same information as the first plaintiff. An additional signature page may be added.

4. Defendant, Yorkville Police Department

Defendant, Kendall County

Defendant, unknown officers

Defendant, unknown medics

Pg 4 Continued

10.

Also Forced medicine when said no multiple times. Medics and cop in ambulance continued to belittle me and my family like I wasn't even present.

Everything was recorded on my audio and I let them know.